



WISCONSIN POLICY FORUM

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For release:
April 21, 2026

Cross Examination: A Comprehensive Look at Wisconsin's Criminal Justice System *State's prison population has changed; disparities persist and costs mount*

In the last two decades, Wisconsin's prison population has included growing numbers of older adults, those whose most serious offense was a violent crime, and those convicted of intoxicated driving, a new [Wisconsin Policy Forum report](#) has found.

Some of the largest racial disparities in Wisconsin's criminal justice system have narrowed in the 21st century. But others have widened, and overall these disparities remain among the nation's largest and the state system's most persistent and salient realities.

Wisconsin's prison system also carries significant costs, as state and local spending on corrections outpaced nearly all other Midwestern states in 2022. Overcrowding, understaffing, and aging prison facilities have contributed to multiple deaths and prolonged lockdowns in recent years. Meanwhile, the cost per individual of operating the state's youth correctional facilities have soared.

These and other findings come from a new, in-depth Forum report on Wisconsin's criminal justice landscape, commissioned by the Public Welfare Foundation. The report offers a comprehensive overview and analysis of available data from across Wisconsin's adult justice system and a limited look at its youth justice system.

In this report, we seek to identify current trends and pressing challenges throughout the system. Our analysis reveals trends that carry implications for policymakers, as summarized below.

Aging prison population: People aged 60 and older comprise a minority of those arrested or incarcerated in Wisconsin, but their numbers have grown considerably. We find the state's prison population is growing older both due to incarcerated individuals aging in place, as well as increased admissions of older adults into the system. This poses budgetary and policy challenges for policymakers, in part because older adults are more likely to require medical care and special accommodations in prison, and state data already show an increase in those costs. State data also show that older adults are the least likely to be reincarcerated after being released from prison.

Disparities have changed, but still loom large: Black Wisconsinites are overrepresented throughout our state's criminal justice system, and Wisconsin has the second-largest disparity of any state between its Black and white incarceration rates. These trends are exacerbated by high rates of poverty in the city of Milwaukee, where over two-thirds of Black Wisconsinites reside. That said, in a notable shift, the per capita rate for Black adults entering prison has fallen from 13.2 per 1,000 residents in 2000 to 8.9 in 2024. However, this same metric shows prison admissions for American Indian adults grew from 6.8 per 1,000 to 11.6 over the last quarter-century.

Rising incarceration for intoxicated driving, violent crime: The total size of Wisconsin's prison population has remained relatively constant over the past two decades – except for a sudden drop during the

pandemic that has since reversed– but its composition has changed notably. The number of incarcerated adults whose most serious offense was a violent crime rose between 2000 and 2023. During that same period, the number of adults incarcerated for intoxicated driving more than quadrupled. The latter trend was driven by both increased penalties for operating while intoxicated offenses, which led to longer prison stays, as well as increased prison admissions for those offenses.

Costly corrections: Wisconsin ranked 12th among the states – and second among 12 Midwest states – in per capita correctional spending in 2022. Due to some of the trends cited above, these costs are likely to increase further in future years. Wisconsin also had the highest cost per capita in 2021 to reincarcerate people for violations of community supervision conditions.

In recent years, multiple deaths and prolonged prison lockdowns have resulted from systemwide issues including prison overcrowding, understaffing, and outdated facilities such as the Green Bay and Waupun Correctional Institutions. Replacement or renovation of the latter facilities has been debated by policymakers but remained unresolved as of the publication of this report. The state Department of Corrections has made progress on other issues, such as staff turnover and vacancies.

Youth prison challenges: In past years, the state youth prison at Lincoln Hills came under significant scrutiny for unsafe conditions, which resulted in pressure to close the facility and a decrease in the number of youths being sent there. Some counties have opted to house more youth in new or existing county facilities, such as the one that opened in Milwaukee County in March. The decline in the number of youths being sent to Lincoln Hills has spread its fixed costs over a much smaller population, pushing per resident costs up dramatically. Meanwhile, the Lincoln Hills facility also remains open nearly five years after the date that lawmakers and the governor originally targeted for its closure.

This report serves as a baseline assessment of Wisconsin’s criminal justice landscape. We hope it provides policymakers, stakeholders, and the broader public with a foundational resource to support ongoing efforts toward a more transparent, equitable, and effective justice system. Much more remains to be written about specific topics within the justice system, such as the prevalence and success of pretrial diversion programs. We will address this and other topics in future reports.

We also thank the advisory committee that supported this project. It was comprised of over 20 individuals representing state and local government agencies, public safety professional associations, academic institutions, and community organizations.

[Click here](#) to read the full report.

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